

THE CHIEFTAIN

For the cause that lacks assistance,
For the wrong that needs redress,
For the future in the distance,
And the good that we can do.

Published Every Friday by the
INDIAN CHIEFTAIN PUBLISHING CO.

ROBERT L. OWEN,
AND
WILLIAM L. OWEN, EDITORS.

VINITA, I. T., JAN. 12, 1883.

SALUTATORY.

In accordance with the promise of the last CHIEFTAIN and a time honored custom of greeting the public with a salutatory when a new editor takes hold of the reins, we step forward with friendly awkwardness make our bow. It is with some difficulty that we take the role of editor for the first time, but we have a worthy helper, an indulgent public and lots of grim resolutions and unless we are un-gentle "laid up for repairs, gentle reader," we propose to make a living sheet of the INDIAN CHIEFTAIN. You shall have all the news of interest to you that our industry can gather. Public questions will be discussed fairly and squarely. Anybody who honestly and decently differs with us shall have a hearing in our columns, but we do not propose either to be abusive ourselves or to permit our correspondents to be so. We mean to oppose the slander policy wherever it presents itself. We do not want to hear of Co-ta-ta-tah stealing Bill Jones' hog or of Bushyhead robbing a blind widow. We want our people to have confidence in each other as they should have, for the Cherokee people as a community are kind-hearted and true. Our aim shall be to condemn the wrong and encourage the right and be of real service to the community in which we live.

For the cause that lacks assistance,
For the wrong that needs redress,
For the future in the distance,
And the good that we can do.

The agitation of matters concerning our interests as a community of people, and the shaping of public opinion, is a matter of serious importance and in entering the field we do so earnestly and with good purposes. The CHIEFTAIN shall be liberal and unprejudiced in its views and will try to guide as many as may be into like channels of thought. We want the Cherokee people to be the best educated, best furnished, best hearted, best fed, best housed and most prosperous people in the world. We want them to take advantage in every legitimate way of their really extraordinary opportunities. The Cherokee people have every natural advantage, as have our brothers, the Creeks, Choctaws, Chickasaws, etc., and need but to use them—but to be alive and awake. Inherited apathy is hard to be conquered, can only be overcome by thorough teaching in our schools by our teachers and out of our schools by our thinkers and workers. But if our little Nation lives, as is our prayer, the great ruins we are devoting to this purpose must bear a noble harvest and make her a shining light in the West. For this end we strive.

We want your help and your friendship, gentle reader, and ask it of you. We propose to do right and have a right to claim it, and if we do commit errors it will be like the old sailor deacon's "sneaking when called before the sessions. With tears in his eyes, he said, "Well, brithrin, if I do any errand I'll be go'ndomed if I know it."

R. L. OWEN.

WHEN a man has fire in his soul
where does the smoke go?

ALEX. HAMPTON, killed his wife and a man named Smith, and then blew his own brains out. He was a shoemaker in the Indian Territory.—E.

An Irishman, who evidently wants free transportation to the old country, has confessed at Rochester to being one of the Phoenix park assassins.

As engineer said he had a grand opportunity once to become famous, a hero, and have his name spelled five or six different ways in the papers. "In fact," continued he, "I almost did the deed, and watched the coming train until it came within a few feet of my engine, and at that moment a thought came as a flash, and I leaped out. I was satisfied that a live coward was much more beneficial to my little world, wife and babies, than a dead hero. Had it not been for that second thought I'd be a dead hero now, and my wife and babies would be weeping and begging, and the sensible portion of the world would say, 'The dead dratted fool, anyhow.' No, I don't want any hero business in mine, not much." And he was contented to live.—E.

Veto Message of the Wire Fence Bill.

We introduce below the veto message of Hon. D. W. Bushyhead, Chief of the Cherokee Nation, of Senate Bill No. 19, introduced during the late session of the Cherokee Council. The bill itself was printed in the CHIEFTAIN during the Council and it is not necessary to repeat it here since those who took any interest in it are familiar with its provisions.

Some of the provisions, however, we quote. "Provided, that where in it may be made to appear, that posts or other wooden material used in the construction of said wire or other fences, have been obtained from the lands aforesaid of the Cherokee Nation. The same shall be taken possession of in the name and on the behalf of said Nation and sold in the manner above provided; in the first instance, and shall not be subject to sale or removal by owners or claimants." "And be it further enacted, that the Sheriff of the District of Coweeseo, shall be allowed twenty-five per centum of the amount of sales made by him under the provisions of this act." It must "be made to appear" to the Sheriff if to anybody, since he is the officer put in charge of the matter. The Sheriff must thus be made a judicial officer as well as Executive—contrary to the Constitution—and would sit in judgment on the question as to whether the posts were Cherokee or not.

Not only would he be the judge in the matter, but he would get twenty-five per cent. of their value if he should adjudge the material national property. It would be greatly to his interest to decide in the Nation's favor. But according to our laws a judge interested in the issue of a suit can not sit in judgment on the case and even a witness under our law is incapacitated by pecuniary interest. These provisions are undoubtedly contrary to the words and spirit of the laws and of the Constitution.

Again we quote, "And in case any controversy shall arise as to the ownership of the stock so seized or the legality of the tax claimed, the collector is authorized to act as a commissioner to administer oaths and to have said differences arbitrated or determined by a jury of five persons, lawfully employed or sojourning on said lands."

It is not hard to see how "the legality of the tax claimed" would be decided when put into the hands of five cow-boys interested in protecting the interest of their employers.

This provision alone would have forced the Chief, under his oath to protect the Constitution, to veto Senate Bill No. 19, apart from its impracticability.

THE VETO.

To the Honorable Senate in Session:

Gentlemen: I return herewith, without my signature, the Bill entitled, "An Act in Relation to the Cherokee Domain West of 96°."

The first duty of a representative of the people in either the Legislative, Executive, or Judicial Department, is to observe with the greatest care and caution, the limits set and defined by the people themselves in their Constitution.

I am firmly of opinion that this Bill is in violation of some of its provisions in important particulars. 1st. In my opinion when the Council divides the Nation into Districts according to Section 2nd, Article 2d, of the Constitution, it is not competent for the Council to separate any and all of the Districts into two divisions. The one to have the advantage of all the Constitution and laws of the land, and the other to have only such privileges as the Council sees fit to give it. This Bill proposes to do this in attaching the Cherokee Country west of 96° to Coweeseo District in the manner and for the purposes only which the Council sees best, or as the phrase is—"hereinafter provided."

2nd. This Bill extends the operation of all the laws to west of 96° except the laws regulating the settlement of the Public Domain. The framers of this bill evidently made the mistake of thinking that citizens have their permission to settle the Common Domain bylaw. But it is not so. The right to settle the Domain is granted to citizens by the Constitution, and all the laws regulating the settlement of the Domain are prohibitory and not permissive—that is all laws passed to regulate settlement are intended to, and do protect to a citizen his Constitutional right to settle on the Common Domain. This Bill then, only takes away those restrictions against settling the Common Domain within one-fourth of a mile of an improvement, etc., and therein destroys the uniformity of the law, while the right to settle west of 96° is continued without any restriction whatever.

3d. The provision of the bill which declares all fencing done by citizens west of 96° little or great, to be illegal and unauthorized, is both unconstitutional and absurd. It is absurd because the very night the Council has to legislate for the Country west of 96° is derived from the Constitution, and consequently if pasture fences of any kind or extent are "illegal and unauthorized west of 96°," it is because they are east of 96° where all the law we have about fences were operative when the fences west of 96° were constructed. The Bill is unconstitutional because it acknowledges the fencing to be private property but takes it for public use without any compensation.

Again: The Bill provides that the fence shall be sold in any case if it is "made to appear" to some persons not designated or known that the wood part of the fence come from the Common Domain. The Sheriff is an Executive officer, and is prohibited by the Constitution—Sec. 2nd, Article 2nd from exercising the powers of Judge or Jury. Consequently he cannot be the one to investigate and to decide the question of where the wood come from, and then execute his own judgment, and get a per cent from the sales. Before whom then, and by whom, and how, and where, and whom the fact in reference to the wood shall be made to appear? The Bill is silent on all these points, and is therefore so far inoperative in itself as well as unconstitutional.

4th. The appointment of a Collector of Revenue is, I consider, a good suggestion, and so is the reduction of his compensation to 10 per cent. But the jury of five cow boys, or other white men, who may be "sojourning" for a time, is not a provision in accordance with treaty. The treaty gives the National Council control over citizens of the Nation alone. The provisions of this Bill providing for a jury of five citizens of the United States, who may attend the collector's summons or decline to attend, as they please is not therefore Constitutional. This provision is also absurd from the fact that it gives a chance to every dishonest Stockman to evade the tax by denying its legality, in which case, according to this Bill the Collector has no other recourse than to call on the Stockman's friends or employees, or sojourning, straggling white men, to decide whether he, the Collector, is right, as a matter of course if the Collector is wrong, the jury will meet and tell him so, if the Collector is right, they will find some excuse for not meeting and there being no way to require or compel them to meet, the Collector may do the best he can for a decision. In either case and in the mean time, the Nation will get no tax, and this provision alone will cost the Nation thousands of dollars, aside from its unconstitutionality and impracticability in other respects. I can find nothing in the Constitution, which in the remotest manner, authorizes the National Council to refer judicial matters arising within the Cherokee Nation to a jury of non-citizens composed of either white men under permit or straggling sojourners who, according to this bill may not be even lawfully employed.

The above are some of my objections to the Bill, and I think they are sufficient. If I did not think that I knew what the object of the Council was in this matter and if I did not heartily concur in it, I would not so freely state my objections. That purpose as I understand it, is to secure the common interest, as recommended in my annual message, by making as much for the Nation as possible out of the lands west of 96°, and at the same time to prevent monopoly of the National interest by individual citizens. I will cordially endorse my Act which I think will accomplish that purpose, both west and east of 96°; but in my judgment the Bill in question instead of accomplishing that object, will add to the complications, dangers, and difficulties now existing.

I remain, Very Respectfully,

D. W. BUSHYHEAD,

Principal Chief.

I certify that the above is a true copy of the original on file in the Executive Office of the Cherokee Nation.

This 4th day of January 1883.

ALBION SPEARS,

Assistant Executive Secretary.

We see it stated that on one of the oldest Indian reservations in New York, where the Indians have been surrounded by and in daily contact with Caucasian civilization for a hundred years, they still retain their pagan rites and original barbarisms. This certainly is not the case in the Indian Territory; where the Cherokee Nation is as well supplied with schools and churches as any other equal number of people anywhere in the United States.—Independent Star.

The latest stage line is a Henry V, so called because Henry has to pay a "V" for every one he gets.

Henry T. Walker,

Next Door to Opera House,

DENISON, TEXAS.

DEALER IN—

Springfield Watches,

Waltham Watches,

Rockford Watches,

And all other make of Watches.

GOLD, SILVER AND NICKLE CASES.

CLOCKS AND SILVERWARE.

Watches, Clocks and Jewelry Repaired.

Special Attention Given to Repairing English Lever Watches.

ORDERS BY MAIL OR EXPRESS WILL HAVE PROMPT ATTENTION.

Don't fail to call when you are in Denison. No trouble to show goods.

DIAMOND COAL!

CHelsea MINES

Are now being opened, and can

supply almost any quantity,

ON NOTICE.

San Antonio Free

To Coal Dealers and

D. BYRD,

Payson Creek, I. T.

FOR CASH

As Low as Any Store in the

Cherokee Nation.

CALL AND EXAMINE MY STOCK.

ROBERT D. KNIGHT,

Manufacturer of—

Allen's Ringleader

Washing Machines

WRINGERS.

Vinita, O. N., I. T.

These Machines are warranted to

finish a washing ready for the line,

without the use of tub or board; do

not have the handle in the ends from

beginning to end; and will wash any

thing from a quilt to a gun patch, and

are fully warranted against breakage

for one year. Terms: \$10.00 for Wash-

er and Wringer combined, \$10.00 for

Washer alone.

VINITA MEAT MARKET,

By W. S. CORDERAY.

The very best cuts of meats always

on hand, at prices to suit the

market.

W. S. CORDERAY.

Give Me a Trial.

Good times and new times always

on hand. Horses boarded and

well taken care of. Good

boardings at my stable.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

Give Me a Trial.

CENTRAL HOUSE!

Arkansas.

Steam Springs.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

Arkansas.

JOHN BULLETTE,

Dealer in

Dry Goods,

Groceries,

And everything usually kept in

a well assorted store. I sell low

as the lowest for cash. Call and

see me and price my goods.

CLAREMORE, I. T.

w. T. Beatty & Co

Proprietor of the

Cherokee Meat Market!

VINITA, I. T.